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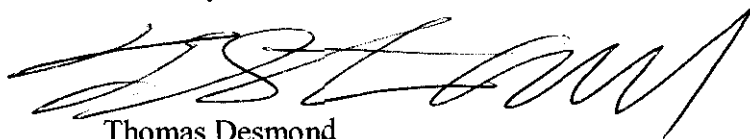
March 11, 2004

To: Marlene H. Dortch,
Secretary, FCC

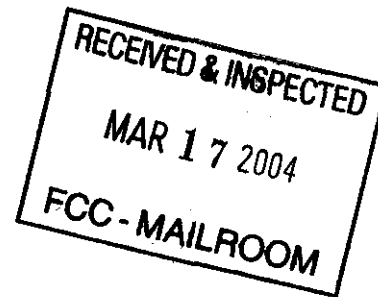
Enclosed are the original, four copies, and a receipt copy of a Petition for Rulemaking to amend the DTV Table of Allotments. Also enclosed is a stamped self-addressed envelope to facilitate the return of the receipt copy.

Your assistance on this matter is greatly appreciated.

Sincerely,



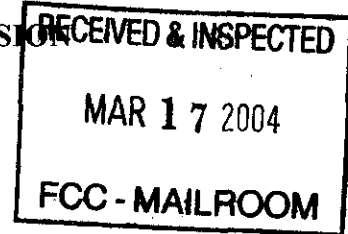
Thomas Desmond
3216 Verbena Drive
Plano, TX 75075



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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554



In the Matter of)
)
Amendment of Section 73.622(b))
Table of Allotments)
DTV Table of Allotments)
(Leonard, TX))

RM- _____

To: Chief, Video Division

PETITION FOR RULEMAKING

1. Thomas Desmond ("Desmond"), pursuant to Sections 1.401(a) and 73.622(a) of the Commission's Rules, hereby petitions (the "Petition") the Commission to institute a rulemaking proceeding to amend the Digital Television Table of Allotments to allot DTV Channel 25 to Leonard, Texas, as that community's first local commercial television service. Section 73.622(b) would be amended as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Leonard, TX	-----	25

No other change in the existing DTV Table of Allotments is requested.

2. **Desmond's Proposal meets the FCC's Separation Requirements.** As shown in the attached Engineering Technical Statement, the allotment of DTV Channel 25 to Leonard at the reference coordinates for Leonard meet all spacing requirements set forth under Section 73.623(d) of the Rules. No short spacing or prohibited contour overlap will be caused to any known full power or Class A television license,

construction permit, or pending modification application.¹ Therefore, the Commission may act promptly on this Petition.

3. Desmond's Proposal Serves the Public Interest Under the FCC's TV Allotment Priorities. As noted, the allotment of DTV Channel 25 will provide Leonard with a first local commercial television service, promoting the underlying objectives of Section 307(b) of the Communications Act of 1934, as amended, by providing a fair, efficient, and equitable distribution of television broadcast stations to communities within the United States. It also serves the Commission's second television allotment priority of providing each community with at least one television broadcast station. *See Sixth Report and Order on Television Allocations, 41 FCC 148, 167 (1952).*

4. Leonard is Deserving of a First Television Service. The community of Leonard is an incorporated community, located in Fannin County, in northeast Texas. Leonard is served by a Mayor and City Council, and has a library, post office, police department, and its own zip code. Leonard has numerous independent businesses located within city limits, and is located outside of any urbanized area. The 2000 Census lists the Leonard population at 1846 persons.

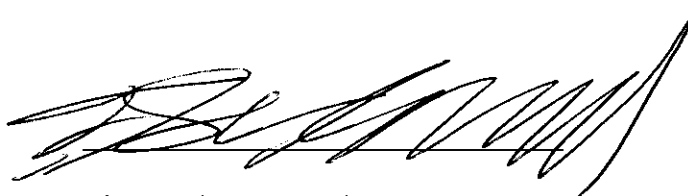
5. Desmond's Declaration of Intent. If Desmond's proposal set forth herein is adopted, and the Commission allots DTV Channel 25 to Leonard, Texas, as requested, Desmond will file an appropriate application and will construct the new station facilities, if authorized to do so.

¹ Spacing with respect to KMPX-TV, Channel 29, licensed to Decatur, TX is not currently met (see Exhibit I of Engineering Technical Statement). Spacing requirement will be fully met upon completion of a construction permit that was granted to KMPX-TV on January 14, 2004. The CP will co-locate the analog and digital facilities for KMPX at the tower currently used for their digital facility. Per a March 11 conversation with station engineering, the site move granted by this construction permit will occur within six months.

CONCLUSION

6. For the preceding reasons, Desmond hereby respectfully requests that the Commission promptly initiate a rulemaking proceeding to amend the DTV Table of Allotments to allot DTV Channel 25 to Leonard, Texas, as that community's first local commercial television service.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas S. Desmond', written over a horizontal line.

Thomas S. Desmond
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Plano, TX 75075
Telephone: 972-422-4674
E-mail: tdesmond@sprynet.com

March 11, 2004

**ENGINEERING TECHNICAL STATEMENT PREPARED BY THOMAS
DESMOND, ON HIS OWN BEHALF, IN SUPPORT OF A PETITION FOR
RULEMAKING TO AMEND THE DTV TABLE OF ALLOTMENTS
LEONARD, TEXAS**

Pursuant to Section 74.622(a), a petitioner who requests to amend the DTV Table of Allotments to add a new channel must demonstrate a geographic site which is compliant with the geographic spacing criteria of Section 73.623(d). Exhibit I demonstrates that the instant Petition is compliant with the geographic spacing criteria using the reference coordinates for the community of Leonard, Texas. These reference coordinates are:

North Latitude 33-22-45
West Longitude 96-14-50

Exhibit II illustrates the location of the reference coordinates, the city limits of Leonard, and the area available for fully spaced transmission sites in and around the reference coordinates.

Certification

I, Thomas Desmond, declare and state that I am a graduate electrical engineer with a Bachelor of Science in Electrical Engineering earned from Washington State University in 1984. I further affirm and state that I am preparing this technical statement on my own behalf.

This technical statement and engineering work are true and correct to the best of my knowledge. Executed on January 11, 2004.

Thomas S. Desmond
BSEE

Exhibit I: Digital TV Spacing Study

Channel 25, Digital

Zone II

Database: FCC 4/8/04

Call City of License	Authorization File Number	Channel Zone	Distance (km)	Required (km)
KLHO-LP Oklahoma City, OK	CA LIC BLTTL-19990512JH	17 II	247.35	96.6 Clear
KJTL Wichita Falls, TX	TV LIC BLCT-19850523LJ	18 II	247.28	96.6 Clear
KTXA Fort Worth, TX	TV LIC BLCT-19801231KF	21 II	110.58	96.6 Close
---- Ada, OK	TA	22 II	159.64	96.6 Clear
KUVN-TV Garland, TX	TV LIC BLCT-20030602BGW	23 II	110.64	96.6 Close
KUVN-DT Garland, TX	DS STA	24 II	110.64	110.0 Close
KUVN-DT Garland, TX	DT LIC BLCDT-20030123ACI	24 II	110.64	110.0 Close
KXXV Waco, TX	TV LIC BLCT-19850401KE	25 III	247.53	244.6 Close
KXXV Waco, TX	TV CP BLCT-20021115ACW	25 III	247.49	244.6 Close
KOKH-TV Oklahoma City, OK	TV LIC BLCT-19970219KH	25 II	266.39	244.6 Clear
KOKH-TV Oklahoma City, OK	TV CP BPCT-20020807AAC	25 II	266.39	244.6 Clear
KLTS-TV Shreveport, LA	DT LIC BLEDT-20020826AAY	25 II	230.34	223.7 Close
---- Sherman, TX	TA	26 II	44.14	106.0 See note I
KTEN Ada, OK	DS STA	26 II	112.50	110.0 Close
KTEN Ada, OK	DT CP BPCDT-19991007AAW	26 II	112.50	110.0 Close

K26GA	CA LIC	26	170.36	106.0
Tyler-Jacksonville, TX	BLTTA-20030128ADG	II		Clear
KDFI	TV LIC	27	114.10	96.6
Dallas, TX	BLCT-20010720ACB	II		Close
KDFI	TV CP MOD	27	114.10	96.6
Dallas, TX	BMPCT-20020613AAN	II		Close
---	TA	28	120.02	96.6
Ardmore, OK		II		Close
KMPX	TV LIC	29	84.56	96.6
Decatur, TX	BMLCT-20030623ADR	II		See Note II
KMPX	TV CP MOD	29	110.58	96.6
Decatur, TX	BMPCT-20031121AOP	II		Close
----	TA	32	177.89	96.6
McAlester, OK		II		Clear
KDAF	TV LIC	33	114.13	96.6
Dallas, TX	BLCT-20000821ACP	II		Close

>>End of DTV Channel 25 Zone II study<<

NOTE I: Vacant analog TV allotment in Sherman, TX is not relevant for this study, since Channel 26 is included in the DTV Table of Allotments for Ada, OK, less than 120 km north of Sherman, TX reference coordinates. Channel 26 in Ada, OK is currently occupied by KTEN(DT), which meets all relevant spacing requirements for this study.

NOTE II: KMPX(TV) was granted a construction permit to relocate its transmitter site from North Dallas, TX to Cedar Hill, TX on January 14, 2004. This will allow KMPX to co-locate its analog transmission site with its digital facility, which is currently located in Cedar Hill, TX. As noted in this study, the new location meets all relevant spacing requirements. Station anticipates completion of construction permit within six months of the date of this petition.

Exhibit II: Area Map

